

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Application of FRANCK BERLAMONT for
an Order Pursuant to 28 U.S.C. § 1782 to Conduct
Discovery for Use in Foreign Proceedings.

15 MISC. 0058

**DECLARATION OF SHAWN PATRICK REGAN IN OPPOSITION TO
PETITIONER'S APPLICATION FOR AN ORDER PURSUANT TO 28 U.S.C. § 1782
TO CONDUCT DISCOVERY FOR USE IN FOREIGN PROCEEDINGS**

I, Shawn Patrick Regan, under penalty of perjury, pursuant to 28 U.S.C. § 1746,
hereby make the following declaration:

1. I am over eighteen years of age. I am a partner at Hunton & Williams, LLP (“Hunton”), the Respondent in this action. I have personal knowledge of the facts stated herein and, if called upon, could and would testify competently to them. I make this declaration in Opposition to Petitioner’s Application for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings.
2. I am a member of the Bar of this Court.
3. Attached as Exhibit A is a true and correct copy of the Petition for Rehearing and Rehearing En Banc submitted by Hunton and Optimal Investment Services, S.A. (“OIS” and, together with Hunton, “Optimal”) in the action styled *In re Application for an Order Pursuant to 28 U.S.C. § 1782*, No. 14-2807 (2d Cir.) (“*Optimal v. Berlamont*”).
4. Attached as Exhibit B is a true and correct copy of the Motion to Supplement Petition for Rehearing and Rehearing En Banc submitted by Optimal in *Optimal v. Berlamont*.
5. Attached as Exhibit C is a true and correct copy of an Order of the U.S. Court of Appeals for the Second Circuit granting Optimal leave to supplement its Petition for Rehearing and Rehearing En Banc in *Optimal v. Berlamont*.

6. Attached as Exhibit D is a true and correct copy of the Declaration of Professor Gwladys Gilliéron, dated January 27, 2015.

7. Attached as Exhibit E is a true and correct copy of the Declaration of Maurice Harari, dated March 12, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 17, 2015
New York, New York



Shawn Patrick Regan, Esq.